

Stephen Roberts  
Texas Bar No. 17019200  
Robert P. Franke  
Texas Bar No. 07371200  
Duane J. Brescia  
Texas Bar No. 240252650  
**STRASBURGER & PRICE, LLP**  
600 Congress, Suite 1600  
Austin, Texas 78701  
(512) 499-3600 / (512) 499-3660 Fax  
[stephen.roberts@strasburger.com](mailto:stephen.roberts@strasburger.com)  
[robert.franke@strasburger.com](mailto:robert.franke@strasburger.com)  
[duane.brescia@strasburger.com](mailto:duane.brescia@strasburger.com)

**ATTORNEYS FOR DEBTOR SUPERIOR AIR PARTS, INC.**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

<b>IN RE:</b>	<b>§</b>	<b>Case No. 08-36705</b>
	<b>§</b>	
<b>SUPERIOR AIR PARTS, INC.,</b>	<b>§</b>	<b>Chapter 11</b>
	<b>§</b>	
<b>Debtor.</b>	<b>§</b>	
	<b>§</b>	

**DEBTOR'S OBJECTION TO CLAIMS NO. 108 AND 118**  
**FILED BY MARLOW, CONNELL, ABRAMS, ADLER, NEWMAN & LEWIS**

TO: THE HONORABLE BARBARA J. HOUSER,  
UNITED STATES BANKRUPTCY JUDGE:

**A HEARING MAY NOT BE CONDUCTED HEREON  
UNLESS A RESPONSE IS FILED WITH THE CLERK OF  
THE UNITED STATES BANKRUPTCY COURT AT EARLE  
CABELL BUILDING, U.S. COURTHOUSE 1100  
COMMERCE STREET - ROOM 1254 DALLAS, TX 75242-  
1496 BEFORE CLOSE OF BUSINESS ON SEPTEMBER  
10, 2009, WHICH IS THIRTY (30) DAYS FROM THE DATE  
OF SERVICE HEREOF.**

**ANY RESPONSE MUST BE FILED WITH THE CLERK,  
AND A COPY MUST BE SERVED UPON COUNSEL FOR  
THE MOVING PARTY PRIOR TO THE DATE AND TIME  
SET FORTH HEREIN. IF A RESPONSE IS FILED A**

**HEARING WILL BE HELD WITH NOTICE TO ALL  
INTERESTED PARTIES.**

**IF NO HEARING ON SUCH NOTICE OR MOTION  
INITIATING A CONTESTED MATTER IS TIMELY  
REQUESTED, THE RELIEF REQUESTED SHALL BE  
DEEMED TO BE UNOPPOSED, AND THE COURT MAY  
ENTER AN ORDER GRANTING THE RELIEF SOUGHT  
OR THE NOTICED ACTION MAY BE TAKEN.**

Superior Air Parts, Inc. ("Superior"), as debtor and debtor-in-possession, files this objection to the proofs of claim 108 and 118 filed by Marlow, Connell, Abrams, Adler, Newman & Lewis, and would show as follows:

1. On February 12, 2009, Marlow, Connell, Abrams, Adler, Newman & Lewis ("Marlow Connell") filed proofs of claim number 108 ("Claim 108") and claim number 118 ("Claim 118"), each in the amount of \$36,588.01, for professional services performed in connection with the lawsuit known as *Virgin Records, et al. v. Skystream, Inc., et al.*; No. 04-22394 CA 21 (the "Virgin" suit).

2. Claim 108 was amended on February 20, 2009 and the amount claimed was reduced to \$14,145.75.

3. On or about March 4, 2009, Marlow Connell withdrew its amended claim, leaving duplicate Claims 108 and 118.

4. Superior objects to Claim 118 because it is a duplicate of Claim 108.

5. Superior objects to Claims 108 and 118 in their entirety because the amounts owed to Marlow Connell, if any, are the responsibility of the insurance companies providing coverage for the Virgin suit, and are not the obligation of Superior. Under the applicable policy, Superior had no obligation to participate in the costs of defense.

WHEREFORE, the Debtor request that the Court grant this Objection and deny Claims 108 and 118 in their entirety, and for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

/s/ Stephen A. Roberts

Stephen A. Roberts (SBN 17019200)

Robert P. Franke (SBN 07371200)

Duane J. Brescia (SBN 24025265)

**STRASBURGER & PRICE, LLP**

600 Congress, Suite 1600

Austin, Texas 78701

Tel. (512) 499-3600 / Fax (512) 499-3643

[stephen.roberts@strasburger.com](mailto:stephen.roberts@strasburger.com)

[bob.franke@strasburger.com](mailto:bob.franke@strasburger.com)

[duane.brescia@strasburger.com](mailto:duane.brescia@strasburger.com)

**BANKRUPTCY ATTORNEYS FOR DEBTOR  
SUPERIOR AIR PARTS, INC.**

### **CERTIFICATE OF SERVICE**

The undersigned certifies that true and correct copies of the foregoing pleading were forwarded to the parties listed below via first class U.S. Mail, postage prepaid, on the 11<sup>th</sup> day of August, 2009.

#### **Claimant:**

Marlow Connell Abrams Adler Newman & Lewis  
4000 Ponce de Leon Blvd., Suite 570  
Coral Gables, FL 33146

#### **Debtor:**

Superior Air Parts, Inc.  
621 S. Royal Lane, Suite 100  
Coppell, TX 75019-3805

#### **U.S. Trustee:**

Mary Frances Durham  
Office of the United States Trustee  
1100 Commerce Street, Room 976  
Dallas, TX 75242

**Counsel for the Committee:**

David W. Parham,  
Elliot Schuler & A. Swick  
Baker & McKenzie LLP  
2001 Ross Ave., Suite 2300  
Dallas, TX 75201

/s/ Stephen A. Roberts

Stephen A. Roberts